

EXHIBIT 2

50-H HEARING

THOMPSON, KWAINÉ

BLA#: 2021PI017786

015-220

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In the Matter of the Claim of

KWAINÉ THOMPSON,

-against-

THE CITY OF NEW YORK.

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VIDEO CONFERENCE VIA TEAMS
Conducted By:
LEX REPORTING SERVICE
160 Broadway
New York, New York

February 3, 2022
2:04 p.m.

EXAMINATION of KWAINÉ THOMPSON, held at
the above time and place, pursuant to Notice,
taken before SHAUNICE MCMULLEN, a shorthand
reporter and Notary Public within and for the
State of New York.



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LEX #173441

K. Thompson

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1
2 and then it went into relationships.

3 Q When did you start speaking about
4 relationships?

5 A Let's say my third time meeting
6 her.

7 Q What kind of conversations did
8 you have relating to relationships?

9 A Sexual conversations.

10 Q Who initiated the conversations?

11 A She did.

12 Q Do you remember what she
13 initially said to you?

14 A She said that she like to work
15 out so she can have a lot of energy to have
16 sex.

17 Q How did you respond?

18 A I said, wow, well, you in great
19 shape.

20 Q Did you ever tell Ms. Simmons
21 that those conversations made you
22 uncomfortable in any way?

23 A Yes. I did tell her that. I
24 told her that as soon as she said it.

25 Q How did she respond?

K. Thompson

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2 A She told me, well, she going to
3 try her best to make me comfortable.

4 Q How often did you have these
5 types of conversations?

6 A Mostly every time she picked me
7 up for medication.

8 Q How often did you tell her it
9 made you uncomfortable, if at all?

10 A Every time.

11 Q What did she respond each time?

12 A She responded that I'm her type
13 of chocolate that she likes.

14 Q In October of 2020 when Ms.
15 Simmons escorted you to the clinic, what
16 happened?

17 A I met an officer named Ms.
18 Bloomfield.

19 Q And Officer Bloomfield was in the
20 clinic?

21 A Yes. This is the officer that
22 gave me an STD.

23 Q Was there anyone else in the
24 clinic other than yourself, Officer
25 Bloomfield and Officer Simmons?

K. Thompson

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2 A Yes. It's always a -- I think
3 it's normally two officers, but it's maybe --
4 there's always a third officer. As a matter
5 of fact, I do remember her name. Her name is
6 Ms. Davis. She's what you call a psychiatric
7 officer. Her name is Ms. Davis. I heard that
8 she retired.

9 Q When you came into the clinic
10 with Ms. Simmons and met Ms. Bloomfield, what
11 happened next?

12 A Ms. Bloomfield immediately said I
13 was her cup of tea, she was older than me,
14 and she started asking me about why I was in
15 jail, do I have a girl, what do I like to
16 drink, what do I like to smoke, and she
17 brought me food -- what I like to eat. She
18 brought me food, cigarettes just to have sex
19 with her.

20 Q What happened at the first
21 encounter with her?

22 A This was a conversation that we
23 had about what's my likes, what's my likes
24 and what's my dislikes.

25 Q What did you respond?

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A I told her what I like to eat. I told her what I like to drink. I told her what I like to smoke.

Q At that point, did Officer Bloomfield tell you why she was asking you for that information?

A She told me she like what she see and she wants to get involved with somebody like me.

Q what did you respond?

A I told her, I cannot do that. I'm here to do my time and get out of jail.

Q Did she respond to you?

A Yeah. She responded.

Q what did she respond?

A She responded, I will throw you in the box if you don't follow up with a good woman like her.

Q Did you respond to her?

A I felt like I was forced. I did.

Q I'm sorry. Say that again.

A I felt like I was forced to respond because she threatened to throw me in the box if I didn't.

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Q what did you say?

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A I said, what do you want from me.

4

Q what did she respond?

5

A She said she wants sex.

6

Q what happened next?

7

A She made a way for us to have

8

sex.

9

Q That day?

10

A No. Let's say two weeks after

11

that.

12

Q Between when you had that initial

13

conversation and two weeks later, did you

14

report the conversation to anybody?

15

A Nah. I just told a few of the

16

guys that I was locked up with what was

17

happening to me.

18

Q Did they say anything to you?

19

A They told me I was a lucky man.

20

Q what happened two weeks later?

21

A Two weeks later, I was escorted

22

to the clinic where I met her there and she

23

immediately told me -- she told the officers

24

that she was going to escort me back, but

25

instead of me getting escorted back, she had

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the key to a room, to the x-ray room, and inside the x-ray room, there was nobody. There's no officers in there and there's a door where nobody can look in there, and she brought me inside that room.

Q who escorted you to the clinic?

A I would say Ms. Simmons.

MR. HINES: Is that a guess or is that your recollection?

THE WITNESS: That's my recollection, Ms. Simmons.

Q what happened in the x-ray room?

A She began to perform oral sex on me.

Q Did you object?

A Say that again.

Q Did you object?

A I felt like I was forced. If I didn't, I would be thrown in the box.

Q Did you say anything to her?

A No. I let her pull my pants down.

Q Between the first conversation and two weeks later in the x-ray room, did

K. Thompson

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you have any additional conversations with
Officer Bloomfield?

A We talked every day.

Q How did you speak?

A We spoke every time I came to the
clinic.

Q what did she say to you during
those conversations?

A How was I feeling, how is my day
going, what do I like to eat, do I have
enough cigarettes to smoke.

Q what else did she bring you other
than cigarettes?

A Weed.

Q Did you also say she brought you
food?

A Yes.

Q Did you accept those things from
her?

A At first, I tried to take it
away, but she threatened me again. If I
don't follow up on her, I would be thrown in
the box.

Q When you say at first you tried

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to take it away, what do you mean?

A No. At first, I tried to shun it away, like I didn't want it. I ain't want to take the food because I felt like I was being pressured into a relationship.

Q How many times did she tell you, if you didn't follow up, that she would put you in the box?

A She told me that the day I didn't feel like having sex with her.

Q Between when you had the first encounter and two weeks, the first conversation and two weeks later in the x-ray room, how many times did she tell you that she would put you in the box if you didn't follow up with her?

A Twice.

Q How long did the encounter in the x-ray room last?

A I would say 15 minutes.

Q Did anything else happen other than oral sex?

A Yes. I penetrated probably for like two minutes.

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Q What happened during those conversations?

A She was telling me how much she missed me and she can't wait for our next interaction.

Q What did you say?

A I said okay.

Q What happened during the second encounter?

A The same thing happened.

Q In the same x-ray room?

A Yes.

Q Were there any other officers present?

A It was.

Q What other officer was present?

A I don't know their names.

Q Were they inside of the room?

A No, no. Nobody was ever present inside of the room. No. Outside the room.

Q Were they male or female officers?

A Females.

Q And you said you don't know the

K. Thompson

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room again?

A Yes.

Q Was it the same officers as before?

A Yes.

Q When was the next encounter after that?

A I would say a month after that.

Q Do you know approximately how many encounters there were in total?

A I'll say at least 20 times.

Q Were all of the encounters in the same room?

A Yes.

Q Were there ever any encounters that involved anything outside of oral sex?

A Yes.

Q I know the first encounter there was more than oral sex. When was the next time there was an encounter that was more than oral sex?

A I would say in January of 2021.

Q What happened during that encounter?

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A I objected every time.

Q what would you say to object?

A I would say, this is not right.
we should not be doing this, and I don't feel
comfortable doing it.

Q what would she say to you, if
anything?

A She would tell me to do my job.

Q would you object again after
that?

A Yes.

Q what would she say?

A She'll tell me, do my job.

Q After January of 2020, were there
approximately another ten encounters?

A Say that one more time.

Q After January of 2020, were there
approximately ten encounters?

A Yes, yes.

Q And the last encounter was when?

A I would say the first week of
June.

Q what happened during the
encounters between January of 2021 and June

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2 did she continue to bring you things like
3 food and cigarettes and weed?

4 A Yes.

5 Q Did you reject any of those
6 things during that time?

7 A No.

8 Q When was the encounter with Ms.
9 Simmons?

10 A That was between January 2021
11 and, I would say June of 2021.

12 Q How many times did you have an
13 encounter with
14 Ms. Simmons?

15 A Four times.

16 Q Do you know approximately when
17 the first encounter with Ms. Simmons was?

18 A I would say January, the end of
19 January.

20 Q Was that encounter also in the
21 x-ray room?

22 A No.

23 Q Where was the encounter with Ms.
24 Simmons?

25 A It was on the elevator.

K. Thompson

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A No.

Q When was the next encounter with Ms. Simmons?

A I would say a month after that.

Q What happened at that encounter?

A She took me in the office, not the x-ray room, but the office inside the clinic. There was nobody there, and she pulled down my pants and she put it in her mouth.

Q And you said there were no other officers present at that time?

A No other officers present at that time.

Q How long did the encounter last?

A I'll say three minutes.

Q Did anything else happen other than oral sex?

A No.

Q When was the next encounter with Ms. Simmons?

A I will say about three weeks after that.

Q Where were you when that one

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2 Q Were you coming or going from
3 somewhere when that encounter happened?

4 A I was going to the clinic to get
5 my medication.

6 Q And were you being escorted by
7 Ms. Simmons?

8 A Yes.

9 Q What happened while you were on
10 the elevator?

11 A She told me, she said that I
12 heard I have a big one, and then she grabbed
13 it on the elevator and she stuck her hands in
14 my pants.

15 Q Did she stick her hands in your
16 pants before she grabbed it or after?

17 A No. She stuck her hands in it
18 and grabbed it.

19 Q What did you say, if anything?

20 A I told her, don't get caught.

21 Q What did she respond?

22 A She just smiled. She laughed and
23 smiled.

24 Q Did anything else happen after
25 that day?

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happened?

A Same place.

Q The office in the clinic?

A The office inside the clinic, and this lasted a little bit longer. It was, I would say five or ten minutes, and this time we got busted. We got busted by CO Francis.

Q What happened during the five minutes?

A She was giving me oral. I was standing up. She was sitting down and the door bust open and Ms. Francis walked in.

Q What happened when Officer Francis walked in?

A She stopped. She laughed, and they started -- Ms. Francis said, what's happening here, and she was like, this is my friend, da-da-da, and when she said this is her friend, Ms. Francis looked at me and said, oh, you must be going home soon. I said, yeah. She was like, oh. And they started talking about sex, both of them to me.

Q What about sex were they saying?

1 K. Thompson 41

2 A They were saying that I shouldn't
3 be bashful or shy about getting back into the
4 dating pool when I get home, that I should
5 try not to think about cumming too fast when
6 I'm having sex with women.

7 Q How long did the conversation
8 last?

9 A It lasted about 10, 15 minutes.
10 I was shocked. I was shocked at this
11 conversation because this was my first time
12 ever meeting Ms. Francis.

13 Q When was the last encounter with
14 CO Simmons?

15 A I would say probably two weeks
16 after this incident.

17 Q Where were you when that
18 happened?

19 A In the elevator.

20 Q Where were you going or coming
21 from?

22 A The clinic. I was going to the
23 clinic.

24 Q What happened in the elevator?

25 A She stuck her hands in my pants

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he'd be sending me to a hospital. Since this was with a woman, the only thing he can do for me is refer me to the psyche.

So when I seen the psyche, it was a female psyche, and this white lady, she was very appalled at how this officer abused her power. She was so mad. She said, Thompson, I want you to charge her to the full extent of the law. Thompson, what I'm doing, I'm going to send you right back to the doctor and I'm going to have the doctor put you in for all the STDs, chlamydia, gonorrhea, AIDS. I want you to take all these tests, Thompson.

So that's what she did, she referred me back to the doctor, and when she referred me back to the doctor, he gave me all those tests, and when I came back two or three days for the follow-up, it came to happen that I had chlamydia, and they gave me some type of penicillin or some antibiotic to get rid of the STD. I took it for seven days.

Q When did you report the incident?

A I reported it on, I'll say June,

K. Thompson

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1 June 13th. It was a day that she came in.
2 I'm going to say June 13th. The reason why I
3 remember that day is because I wrote it down.
4 I wrote it down because that's the day that I
5 feel that she went overboard and she was very
6 angry at me that she found out that I was
7 having sex with Ms. Simmons, and she was so
8 angry that she didn't care about her job when
9 she announced it in front of the whole
10 housing area.
11

12 She screamed to the top of her
13 lungs at me that I better not be giving her
14 dick away. She did this in front of all 50
15 inmates and the co-worker, her co-worker,
16 which is a correctional officer. His name is
17 kinsly (phonetic). He was in disbelief from
18 hearing this woman say this.

19 I said, don't you think it's
20 wrong for you to write in the logbook that I
21 only request to go with Ms. Simmons like me
22 and you spoke? She said, I don't care what I
23 wrote in that logbook. I said, you don't
24 think it's wrong that you wrote a lie. She
25 said, I do not care, I do what I want.

K. Thompson

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1 treatments, recommendations or instructions?

2 A When I saw the -- no. That's it.
3 Just to get all STD tests she wanted me to
4 take, and she wanted me to prosecute the
5 officer to the full extent of the law.
6 That's what she told me to do.
7

8 Q You said you were given
9 antibiotics for the STD?

10 A Yes.

11 Q Did it clear up, if you know?

12 A Yes, yes.

13 Q What was the outcome of the
14 investigation?

15 A They never got back to me about
16 the outcome of the investigation.

17 Q Were you ever spoken to again
18 after the first time you met the
19 investigators?

20 A No. I never was spoken to after
21 I met them, but something happened to me like
22 that right now. I'm in GRVC, and a captain
23 put her mouth on my dick when I was laying in
24 the clinic ill. I'm not suing for that, but
25 I did call PREA for that, and they came out

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Q How long after getting transferred to GRVC did that incident happen?

A I'll say that happened, that'll be two months later. In December I called PREA, this past December.

Q what did they tell you when you called them?

A They told me they're going to put a separation on the new captain that did this to me, and they also, they're going to get back to me on the investigation with this captain here, and the also, they said they're going to try to contact the investigators what handled my case when I was at VCBC and they're going to report back to me, but neither one of them reported back to me yet.

And I called PREA when this happened to me five times, and the investigators came out for like three times out of the five. They came to see me, and I told them that I'm being harassed. She's walking around with her camera on asking can she see my dick.

Q Hold on. Are you talking about

K. Thompson

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Q Have you been given any other recommendations or instructions?

A They recommend that I continue my therapy sessions and stay on my meds to make sure that I comply with taking my medications.

Q How have these incidents affected your life?

A Terrible.

Q In what ways?

A I feel like I got ED. ED is an erectile dysfunction.

Q why do you feel that way?

A Because I try to masturbate and I feel like I can't get it up like I used to.

Q How else has this affected your life?

A Just mentally.

Q In what way?

A I'm constantly depressed and I have high anxiety and I be having suicidal thoughts.

Q Anything else?

A No. That's it.